

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEITH RAWLINGS

Plaintiff,

v.

**SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY, ET AL.**

Defendants.

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**Civil Action
No. 2:19-CV-04698**

ORDER

AND NOW, this 27th day of October, 2022, upon consideration of Defendants' Motion for Summary Judgment (ECF No. 36), Plaintiff's response in opposition (ECF No. 39), and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motion is **GRANTED in part and DENIED in part** as follows:

1. Plaintiff's claims against SEPTA, Officer Malik Williams, and Chief Thomas Nestel are **DISMISSED**.
2. The Clerk shall amend the caption to remove SEPTA, Officer Williams, and Chief Nestel as defendants in this case.
3. Plaintiff's claim for bystander liability against Officers Walsh and Capaldi is **DISMISSED**.
4. Defendants' Motion is **DENIED** as to Plaintiff's claims for excessive force and punitive damages against Officers Walsh and Capaldi.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.